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Federal Highway Administration
2520 West 4700 South
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John Njord, Executive Director
Utah Department of Transportation
4105 South 2700 West
Salt Lake City, UT 84119

Re: Tooele County Midvalley Highway, eastern Tooele County: Draft Environmental Impact Statement (DEIS): CEQ #20090302

Dear Messrs: Christian and Njord:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA) 42 U.S.C. Section 4231 et. seq., and Section 309 of the Clean Air Act 42 U.S.C. Section 7609, the U.S. Environmental Protection Agency Region 8 (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the Tooele County Midvalley Highway DEIS located in eastern Tooele County.

The purpose of the project includes capacity improvements to the north-south transportation system (i.e. between SR-36 connection with I-80 and the southern limits of Tooele City, along SR-112 including the Utah Industrial Depot) that:

- Provide addition north-south transportation capacity
- Reduce anticipated congestion on SR-36
- Reduce anticipated congestion at the Lake Point Interchange with I-80 (SR-36 connection with I-80)

The two action alternatives and options are described as follows:

1. Midvalley Highway East Alternative: This alternative includes a four lane arterial between SR-36 and SR-112 and a four lane freeway between SR-112 and I-80. Two options are evaluated as part of this alternative between the future 1000 North roadway and Erda Way. Option A is a more direct route and is approximately 8.5 miles in length. Option B

continues further west along the Tooele City boundary and is approximately 8.8 miles in length.

2. Midvalley Highway West Alternative: This alternative includes a four lane arterial between SR-36 and SR-112 and a four lane freeway between SR-112 and I-80. Two options are evaluated as part of this alternative between the future parkway (3400 North) and SR-138. The alignments diverge near the future parkway (3400 North) and join together just north of SR-138. Option A is approximately 8.7 miles in length and extends through the eastern edge of the LDS Church agricultural property; Golden Gardens subdivision is located directly east of Option A. Option B continues further west and would cross over Sheep Lane via a bridge. It would require the realignment of approximately 1.4 miles of SR-138. Option B is approximately 9.5 miles in length.

EPA appreciates the opportunity for early and ongoing involvement in this project. We have commented on pre-scoping, scoping and preliminary draft versions of this document as a cooperating agency. Many of our preliminary draft comments have been addressed in the current DEIS. We find the document to be thorough and we commend the Federal Highway Administration (FHWA) and the Utah Department of Transportation (UDOT) for outstanding collaboration and planning.

We are, however, concerned that the project is within the area of Tooele County that will be designated as nonattainment for the $PM_{2.5}$ 24-hour National Ambient Air Quality Standards. Therefore, the Final EIS (FEIS) will need to address this nonattainment designation and its requirements for project analysis. EPA's Administrator signed the final rule for the national $PM_{2.5}$ 24-hour NAAQS designations on October 8, 2009. This final rule should be published in the Federal Register soon and the designations will become effective 30-days after the date of publication.

In addition, we note that the DEIS discusses limitations to Mobile Source Air Toxic (MSAT) hotspot analysis with respect to EPA's current mobile source emissions model, MOBILE6.2. EPA anticipates issuing a final version of MOBILE6.2's successor model by December 31, 2009. This new model is the **MO**tor **V**ehicle **E**mission **S**imulator or MOVES. MOVES offers a new set of modeling tools for the estimation of emissions produced by on-road and eventually, non-road mobile sources. It is also known as the "New Generation Model" as MOVES will encompass all pollutants (including hydrocarbons [HC], Carbon Monoxide [CO], oxides of nitrogen [NOx], particulate matter [PM], air toxics, and greenhouse gases) and all mobile sources at the levels of resolution needed for the diverse applications of the system including project level analysis. Additional technical air comments are provided as an attachment to this letter.

Pursuant to EPA policy and guidance, EPA rates the environmental impact of an action and the adequacy of the NEPA analysis. Since FHWA has not yet identified a preferred alternative EPA must rate each alternative. EPA has rated both of the build alternatives as "EC-1" (Environmental Concerns-Adequate). This "EC" rating means that impacts have been identified that should be avoided in order to fully protect the environment. The "1" rating means that no further analysis or data collection is necessary, but clarifying language or information may be necessary. An explanation of the rating criteria is enclosed.

Although EPA has rated each of the alternatives as EC-1, we believe that the Midvalley Highway West Option A or B will result in the least impacts to jurisdictional wetlands over either of the Midvalley Highway East options.

We appreciate the opportunity to participate in this project. If you have any questions or would like to discuss our comments, please contact me at (303) 312-6004 or Robin Coursen of my staff at (303)312-6695.

Sincerely,

Larry Svoboda
Director, NEPA Program
Office of Ecosystems Protection and Remediation

cc: Ed Woolford, FHWA email
James McMillan, USACE email
Betsy Herrman, USFWS email
Matthew Zondel, UTDOT email

EPA Comments on Tooele Midvalley Highway

Additional Air Quality Comments:

General Air Quality Comments:

- Pg. 3.7-4, Section 3.7.1.1 Regulations, Table 3.7-1, the lead (Pb) NAAQS: The Pb NAAQS was revised on November 12, 2008 (see 73 FR 66964) and was tightened from 1.5 $\mu g/m^3$ to 0.15 $\mu g/m^3$. In addition, the averaging time was changed to a rolling three-month time frame.

- Pg. 3.7-8 and 3.7-9, Section 3.7.2.2 Monitored Air Quality, Table 3.7-2,: This table should be expanded to include air monitoring data from 2008 as these data have been quality assured, certified by the State of Utah, and are currently available. EPA suggests that a discussion of the monitoring data would assist the public's understanding of the air quality within the vicinity of the project.

- Pg. 3.7-11, section 3.7.3.1 Mircoscale Assessment, third paragraph: Reference is made to UDOT's "Air Quality Hot Spot Manual" and that intersection with LOS of D or worse do not need CO hotspot analysis if the traffic volumes are 45,00 ADT. This assumption is of particular concern. EPA requests a copy of the UDOT Air Quality Hot Spot Manual, and we would like to be involved with the revisions to the hotspot analysis for the FEIS.

MSATs:

- Pg. 3.7-6, section on MSAT Analysis: EPA notes that FHWA recently updated its interim guidance on MSATs on October 13, 2009. While there are positive elements of this interim guidance, EPA, nationally, continues to disagree with major pieces of the approach taken in this interim guidance, as well as much of the specific language used in the guidance. We note that the MSAT section here and in section 3.7.4 contains language similar to that from FHWA's Interim Guidance on MSATs, with which EPA has consistently disagreed. The MSAT sections essentially state that there are limitations with the existing modeling tools and that reliable methods do not exist to accurately estimate the health impacts of MSATs at the project level. While there are of course, important areas of uncertainty with any model, EPA believes there are analytical tools available that yield meaningful information for the decision-making process.

  Air toxics are defined as pollutants in the air that are known or suspected to cause cancer or other serious health effects, such as respiratory, neurological, reproductive, and developmental effects. MSATs are usually the largest source of air toxics of concern in urban areas. Emissions from mobile sources typically occur near the ground and are not particularly buoyant. Therefore, the largest impacts of these emissions tend to occur at receptors close to the source. A number of studies have examined the association between living near major roads and different adverse health endpoints. EPA notes that

recent modeling and monitoring studies have confirmed that air toxics emissions from mobile sources remain drivers of overall air toxics risks. As an example, see the South Coast Air Quality Management District's Multiple Air Toxics Exposure Study III (or the MATES III study, www.aqmd.gov/prdas/matesIII/matesIII.html).

- Pg. 3.7-10, section 3.7.2.3, Sources of Emissions, fourth paragraph, last sentence: The DEIS indicates that because of the significant reduction in MSATs that will occur because of EPA's 2001 regulations controlling emissions of hazardous air pollutants from mobile sources, "...EPA concluded that no further motor vehicle emissions standards or fuel standards were necessary to further control MSATs." This is a misleading statement. This statement was only relevant to national emissions controls at the time of the 2001 rulemaking. The regulatory impact analysis in support of the rule clearly outlined the remaining concerns from near roadway impacts. EPA suggests that this language be removed.

- With regard to section 3.7.4.3 (pg. 3.7-21), EPA believes that, contrary to the statements made in the DEIS, methods do exist to assess the health impacts of MSAT emissions from transportation projects. In fact, several transportation projects have included health risk assessments in the DEIS (see, e.g., Port of Los Angeles China Basin Shipping, Port of Long Beach Middle Harbor, Schuyler Heim Bridge Replacement and SR-47 Expressway). All three of these documents included a human health risk assessment done for *on-road mobile sources*. This does not imply that EPA believes a risk assessment should be done for this project; rather, that they can be done and are being done.

  When a highway is widened, expanded, or new construction and is moved closer to residences and other critical receptors, the localized concentrations of MSATs will likely be higher for the build alternatives than existing conditions or the no action alternative. While over time regional concentrations of MSATs will decrease due to federal vehicle and fuel regulations, this does not preclude the possibility of localized increases related to this project. While there are acknowledged uncertainties in both local scale emissions model (MOBILE 6.2) and the available roadway dispersion models (CAL3QHC and HYROAD), these current tools can provide relevant information on potential impacts. The models' ability to predict relative changes in MSAT concentrations between the Build and No Build Alternatives could provide information to the public on the impact of the project. Finally, we note that EPA anticipates releasing MOBILE6.2's replacement, the MOVES model, by December 31, 2009. The MOVES model is capable of estimating emission factors, emission inventories, and evaluating project level emissions.

Mitigation:

Pg 3.18-3, refer to the section describing air quality mitigation measures for construction equipment emissions: EPA suggest the following additional mitigation measures be considered for this project:

- Prohibit unnecessary idling of construction equipment;
- Require use of low-sulfur fuel;

- Locate diesel engines and motors as far away as possible from residential areas;
- Locate staging areas as far away as possible from residential uses; and
- Require heavy construction equipment to use the cleanest available engines or be retrofitted with diesel particulate control technology.
- Use alternatives to diesel engines and/or diesel fuels such as: biodiesel, LNG or CNG, fuel cells, and electric engines;
- For winter time construction, install engine pre-heater devices to eliminate unnecessary idling;
- Prohibit tampering with equipment to increase horsepower or to defeat emission control devices effectiveness;
- Require construction vehicle engines to be properly tuned and maintained;
- And use construction vehicles and equipment with the minimum practical engine size for the intended job.

Climate Change:

Pg. 3.19-14, section 3.19.6, Climate Change Cumulative Effects: EPA appreciates the inclusion of this discussion and the data presented in Table 3.19-3.